

AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

XS HOLDING B.V., derivatively on behalf of Xslent Technologies, LLC and XET Holding Co., LLC, and separately on its own behalf,

Plaintiff.

Civil Action No.

v.

COOL EARTH SOLAR, INC., a Delaware corporation; ROB LAMKIN, an individual; LAWRENCE ASUNCION, an individual; SOLAR COMPONENTS LLC, a Delaware limited liability company; NATHAN SCHULHOF, an individual; JAMES BULLEN, an individual; MARTIN N. LETTUNICH, an individual; STEFAN MATAN, an individual; and XET HOLDING CO., LLC, a Delaware limited liability company, and XSLENT TECHNOLOGIES, LLC, a Delaware limited liability company, as nominal parties,

Defendant

C 08 02282 PVT

E-FILING

ADR

Summons in a Civil Action

AO 440 (Rev. 04/08) Civil Summons

To: *(Defendant's name and address)*

COOL EARTH SOLAR, INC.
Attn: Eric Cummings
7665 Hawthorne Place
Livermore, CA 94550

ROB LAMKIN
7665 Hawthorne Place
Livermore, CA 94550

LAWRENCE ASUNCION
7665 Hawthorne Place
Livermore, CA 94550

SOLAR COMPONENTS LLC
121 Valley Street
Manchester, NH 03103

NATHAN SCHULHOF

M. JAMES BULLEN

MARTIN N. LETTUNICH
233 Oak Meadow Drive
Los Gatos, CA 95032-7650

STEFAN MATAN
487 Lea Court
Novato, CA 94945

XET HOLDING CO., LLC.
Attn: Bernard Vogel
25 Metro Dr. Suite 600
San Jose, CA 95110

XSLENT TECHNOLOGIES, LLC
Attn: Bernard Vogel
25 Metro Dr. Suite 600
San Jose, CA 95110

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Paul J. Riehle, Esq.
Sedgwick, Detert Moran & Arnold LLP
1 Market Plaza, Steuart Tower, 8th Fl.
San Francisco, CA 94105

AO 440 (Rev. 04/08) Civil Summons

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

Tiffany Salinas-Harwell

Date: May 1, 2008

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

NAME ADDRESS AND TELEPHONE NUMBER OF ATTORNEY

PAUL RIEHLE, ESQ.
 SEDGWICK, DETERT, MORAN & ARNOLD
 ONE MARKET PLAZA, STEUART TOWER, 8TH
 SAN FRANCISCO, CA 94105
 Telephone: (415) 781-7900
 Attorney for: Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE

XS HOLDING B.V., ET AL.

CASE NUMBER

C08 02282 PVT

Plaintiff.

COOL EARTH SOLAR, INC., ET AL.

DECLARATION OF SERVICE

Defendant.

At the time of service I was a citizen of the United States, over the age of eighteen, and not a party to this action; I served copies of the:
 SUMMONS IN A CIVIL ACTION; SHAREHOLDERS' DERIVATIVE COMPLAINT AND COMPLAINT FOR INTERFERENCE WITH CONTRACT, CONVERSION, DECLARATORY AND INJUNCTIVE RELIEF; CIVIL COVER SHEET; VERIFICATION TO SHAREHOLDERS' DERIVATIVE COMPLAINT AND COMPLAINT FOR INTERFERENCE WITH CONTRACT, CONVERSION, DECLARATORY AND INJUNCTIVE RELIEF; CERTIFICATION OF INTERESTED PARTIES; DEMAND FOR JURY TRIAL; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO DISTRICT JUDGE

in the within action by personally delivering true copies thereof to the person served as follows:

Served : MARTIN LETTUNICH

By Serving : Jean Sato, Person In Charge / Authorized To Accept
 Service Of Process

Address : (Business) XSLENT TECHNOLOGIES, LLC

233 Oak Meadow Drive

Los Gatos, Ca 95032

Date of Service : May 2, 2008

Time of Service : 4:12PM

I declare under penalty of perjury under the laws of the United States of America that the foregoing information is true and correct.

Date: May 2, 2008

County Legal & Notary Service
 255 N. Market Street, Suite 246
 San Jose, California 95110
 Telephone: (408) 295-2700
 Registered SANTA CLARA
 Number 1183

Signature: 

MATTHEW CLARK

PAUL RIEHLE, ESO.
SEDGWICK, DETERT, MORAN & ARNOLD
ONE MARKET PLAZA, STEUART TOWER, 8TH FLOOR
SAN FRANCISCO, CA 94105
Telephone: (415) 781-7900
Attorney for: Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE

Plaintiff : XS HOLDING B.V., ET AL.
Defendant : COOL EARTH SOLAR, INC., ET AL.

Ref # 50885077

DECLARATION OF MAILING

Case No. C08 02282 PVT

At the time of service I was at least eighteen years of age and not a party to this action, and I served copies of the:

SUMMONS IN A CIVIL ACTION; SHAREHOLDERS' DERIVATIVE COMPLAINT AND COMPLAINT FOR INTERFERENCE WITH CONTRACT, CONVERSION, DECLARATORY AND INJUNCTIVE RELIEF; CIVIL COVER SHEET; VERIFICATION TO SHAREHOLDERS' DERIVATIVE COMPLAINT AND COMPLAINT FOR INTERFERENCE WITH CONTRACT, CONVERSION, DECLARATORY AND INJUNCTIVE RELIEF; CERTIFICATION OF INTERESTED PARTIES; DEMAND FOR JURY TRIAL; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO DISTRICT JUDGE

in the within action by placing true copies thereof in a sealed envelope with first class postage fully prepaid thereon in the United States mail at San Jose, California, addressed as follows:

MARTIN LETTUNICH

(Business) XSLENT TECHNOLOGIES, LLC
233 Oak Meadow Drive
Los Gatos, Ca 95032

Date of mailing: May 2, 2008

Person serving:
ROBINA ALVES

County Legal & Notary Service
255 N. Market Street, Suite 246
San Jose, California 95110
Telephone: (408) 295-2700

Fee for service:
Registered California process server.
(1) Employee or independent contractor.
(2) Registration no.: 1029
(3) County: SANTA CLARA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 2, 2008

Signature: *Robina Alves*

AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

XS HOLDING B.V., derivatively on behalf of Xsient Technologies, LLC and XET Holding Co., LLC, and separately on its own behalf,

Plaintiff

Civil Action No.

v.
COOL EARTH SOLAR, INC., a Delaware corporation; ROB LAMKIN, an individual; LAWRENCE ASUNCION, an individual; SOLAR COMPONENTS LLC, a Delaware limited liability company; NATHAN SCHULHOF, an individual; JAMES BULLEN, an individual; MARTIN N. LETTUNICH, an individual; STEFAN MATAN, an individual; and XET HOLDING CO., LLC, a Delaware limited liability company, and XSLENT TECHNOLOGIES, LLC, a Delaware limited liability company, as nominal parties,

Defendant

C 08 02282 PVT

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ADR

Summons in a Civil Action

AO 440 (Rev. 04/08) Civil Summons

To: *(Defendant's name and address)*

COOL EARTH SOLAR, INC.

Attn: Eric Cummings
7665 Hawthorne Place
Livermore, CA 94550

ROB LAMKIN

7665 Hawthorne Place
Livermore, CA 94550

LAWRENCE ASUNCION

7665 Hawthorne Place
Livermore, CA 94550

SOLAR COMPONENTS LLC

121 Valley Street
Manchester, NH 03103

NATHAN SCHULHOF

M. JAMES BULLEN

MARTIN N. LETTUNICH

233 Oak Meadow Drive
Los Gatos, CA 95032-7650

STEFAN MATAN

487 Lea Court
Novato, CA 94945

XET HOLDING CO., LLC.

Attn: Bernard Vogel
25 Metro Dr. Suite 600
San Jose, CA 95110

XSLENT TECHNOLOGIES, LLC

Attn: Bernard Vogel
25 Metro Dr. Suite 600
San Jose, CA 95110

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Paul J. Riehle, Esq.

Sedgwick, Detert Moran & Arnold LLP

1 Market Plaza, Steuart Tower, 8th Fl.

San Francisco, CA 94105

AO 440 (Rev. 04/08) Civil Summons

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wicking

Name of clerk of court

Tiffany Salinas-Harwell

Date: May 1, 2008

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

NAME ADDRESS AND TELEPHONE NUMBER OF ATTORNEY

PAUL RIEHLE, ESQ.
 SEDGWICK, DETERT, MORAN & ARNOLD
 ONE MARKET PLAZA, STEUART TOWER, 8TH
 SAN FRANCISCO, CA 94105
 Telephone: (415) 781-7900
 Attorney for: Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE

XS HOLDING B.V., ET AL.

CASE NUMBER

C08 02282 PVT

Plaintiff.

COOL EARTH SOLAR, INC., ET AL.

DECLARATION OF SERVICE

Defendant.

At the time of service I was a citizen of the United States, over the age of eighteen, and not a party to this action; I served copies of the:
 SUMMONS IN A CIVIL ACTION; SHAREHOLDERS' DERIVATIVE COMPLAINT AND COMPLAINT FOR INTERFERENCE WITH CONTRACT, CONVERSION, DECLARATORY AND INJUNCTIVE RELIEF; CIVIL COVER SHEET; VERIFICATION TO SHAREHOLDERS' DERIVATIVE COMPLAINT AND COMPLAINT FOR INTERFERENCE WITH CONTRACT, CONVERSION, DECLARATORY AND INJUNCTIVE RELIEF; CERTIFICATION OF INTERESTED PARTIES; DEMAND FOR JURY TRIAL; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO DISTRICT JUDGE

in the within action by personally delivering true copies thereof to the person served as follows:

Served : XET HOLDING CO., LLC

By Serving : Jean Sato, Person In Charge / Authorized To Accept
 Service Of Process

Address : (Business) XSLENT TECHNOLOGIES, LLC

233 Oak Meadow Drive
 Los Gatos, Ca 95032

Date of Service : May 2, 2008

Time of Service : 4:12PM

I declare under penalty of perjury under the laws of the United States of America that the foregoing information is true and correct.

Date: May 2, 2008

County Legal & Notary Service
 255 N. Market Street, Suite 246
 San Jose, California 95110
 Telephone: (408) 295-2700
 Registered SANTA CLARA
 Number 1183

Signature: 

MATTHEW CLARK

PAUL RIEHLE, ESO.
SEDGWICK, DETERT, MORAN & ARNOLD
ONE MARKET PLAZA, STEUART TOWER, 8TH FLOOR
SAN FRANCISCO, CA 94105
Telephone: (415) 781-7900
Attorney for: Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE

Plaintiff : XS HOLDING B.V., ET AL.
Defendant : COOL EARTH SOLAR, INC., ET AL.

Ref # 50885076

DECLARATION OF MAILING

Case No. C08 02282 PVT

At the time of service I was at least eighteen years of age and not a party to this action, and I served copies of the:

SUMMONS IN A CIVIL ACTION; SHAREHOLDERS' DERIVATIVE COMPLAINT AND COMPLAINT FOR INTERFERENCE WITH CONTRACT, CONVERSION, DECLARATORY AND INJUNCTIVE RELIEF; CIVIL COVER SHEET; VERIFICATION TO SHAREHOLDERS' DERIVATIVE COMPLAINT AND COMPLAINT FOR INTERFERENCE WITH CONTRACT, CONVERSION, DECLARATORY AND INJUNCTIVE RELIEF; CERTIFICATION OF INTERESTED PARTIES; DEMAND FOR JURY TRIAL; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO DISTRICT JUDGE

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XET HOLDING CO., LLC

(Business) XSLENT TECHNOLOGIES, LLC
233 Oak Meadow Drive
Los Gatos, Ca 95032

Date of mailing: May 2, 2008

Person serving:
ROBINA ALVES

County Legal & Notary Service
255 N. Market Street, Suite 246
San Jose, California 95110
Telephone: (408) 295-2700

Fee for service:
Registered California process server.
(1) Employee or independent contractor.
(2) Registration no.: 1029
(3) County: SANTA CLARA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 2, 2008

Signature: *Robina Alves*

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Northern District of California

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Defendant

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To: *(Defendant's name and address)*

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7665 Hawthorne Place
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Livermore, CA 94550

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Los Gatos, CA 95032-7650

STEFAN MATAN
487 Lea Court
Novato, CA 94945

XET HOLDING CO., LLC.
Attn: Bernard Vogel
25 Metro Dr. Suite 600
San Jose, CA 95110

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Attn: Bernard Vogel
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Name of clerk of court

Tiffany Salinas-Harwell

Date: May 1, 2008

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

NAME ADDRESS AND TELEPHONE NUMBER OF ATTORNEY

PAUL RIEHLE, ESQ.
 SEDGWICK, DETERT, MORAN & ARNOLD
 ONE MARKET PLAZA, STEUART TOWER, 8TH
 SAN FRANCISCO, CA 94105
 Telephone: (415) 781-7900
 Attorney for: Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE

XS HOLDING B.V., ET AL.

CASE NUMBER

C08 02282 PVT

Plaintiff,

COOL EARTH SOLAR, INC., ET AL.

DECLARATION OF SERVICE

Defendant.

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Served : XSLENT TECHNOLOGIES, LLC

By Serving : Jean Sato, Person In Charge / Authorized To Accept
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Address : (Business) XSLENT TECHNOLOGIES, LLC

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 Registered SANTA CLARA
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Signature: _____



MATTHEW CLARK

PAUL RIEHLE, ESO.
SEDGWICK, DETERT, MORAN & ARNOLD
ONE MARKET PLAZA, STEUART TOWER, 8TH FLOOR
SAN FRANCISCO, CA 94105
Telephone: (415) 781-7900
Attorney for: Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE

Plaintiff : XS HOLDING B.V., ET AL.
Defendant : COOL EARTH SOLAR, INC., ET AL.

Ref # 50885075

DECLARATION OF MAILING

Case No. C08 02282 PVT

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XSLENT TECHNOLOGIES, LLC

(Business) XSLENT TECHNOLOGIES, LLC
233 Oak Meadow Drive
Los Gatos, Ca 95032

Date of mailing: May 2, 2008

Person serving:
ROBINA ALVES

County Legal & Notary Service
255 N. Market Street, Suite 246
San Jose, California 95110
Telephone: (408) 295-2700

Fee for service:
Registered California process server.
(1) Employee or independent contractor.
(2) Registration no.: 1029
(3) County: SANTA CLARA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 2, 2008

Signature: *Robina Alves*